

FEDERAL COMMUNICATIONS COMMISSION
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March 7, 2016

Mr. Todd Mohr
Synergy Broadcast North Dakota, LLC
5399 Wallace Lane
Ludington, MI 49431

Re: KLTQ (FM), Beulah, ND
Synergy Broadcast North Dakota, LLC
Facility Identification Number: 166059
Special Temporary Authority
BSTA-20160222ABJ

Dear Mr. Mohr :

This is in reference to the request filed February 22, 2016, for Synergy Broadcast North Dakota, LLC ("Synergy"). Synergy requests Special Temporary Authority to operate KLTQ at a temporary site in Beulah, ND on Channel 250A to restore this repeatedly silent station to operation. Synergy must return KLTQ to operating status **no later than March 24, 2016** to avoid automatic cancellation of the station's license pursuant to Section 312(g) of the Communications Act.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service¹ to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

The request for STA IS HEREBY GRANTED. KLTQ may resume temporary operation at Beulah, ND with the following facilities:

¹ For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Geographic coordinates:	47° 17' 25" N, 101° 45' 48" W (NAD 1927)
Channel	250A (97.9 MHz)
Effective radiated power:	0.1 kilowatts (H&V)
Antenna height:	
above ground:	6 meters
above mean sea level:	615 meters
above average terrain:	15 meters
Tower height above ground level:	6 meters

Synergy must use whatever means are necessary to protect workers and the public from radiofrequency exposure in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310. Synergy must advise the Commission when licensed operations resume.

This authority expires on **September 3, 2016**.³

We remind the licensee that the station's license will expire as a matter of law upon twelve consecutive months of silence [**ending March 24, 2016**], notwithstanding the grant of the present STA. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and Order, Silent Station Authorizations, FCC 96-218 (released May 17, 1996). *See also* Public Notice, *Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). Please be aware that unauthorized operations – operations with facilities not authorized by a current STA or license – do not count as a resumption of operations within one year for the purposes of Section 312(g) of the Communications Act, and cannot be used to avoid the consequences of Section 312(g). *See A-O Broadcasting Corporation*, FCC 08-10, 23 FCC Rcd 603, released January 8, 2008.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

³ KLTQ held construction permit BPH-20120727AID for Class C1 facilities on Channel 251 (98.1 MHz) at New England, ND but construction permit expired November 30, 2015. KLTQ is still required to move to New England, ND. The grant of this STA does not guarantee the success of any construction permit application to return this station's community of license to Beulah, ND.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dale Bickel", written in a cursive style.

Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Todd Mohr (via e-mail)